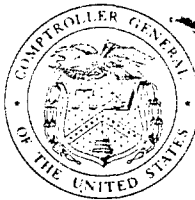


DECISION



THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D.C. 20548

9691

FILE: B-194358

DATE: April 5, 1979

MATTER OF: Baldt, Incorporated DLG-01406

DIGEST:

[Question Concerning Bidder
Responsibility]

Where protester questions responsibility of low bidder, our Office will not review protest unless either fraud is shown on part of procuring officials or solicitation contains definitive responsibility criteria which allegedly have not been applied.

Baldt, Incorporated (Baldt), protests award of a contract to E.V. Camp Steel Works (E.V.) by the Department of the Army, Louisville District Corps of Engineers, under solicitation No. DACW27-79-B-0051.

DLG-01407

ALC00407

Baldt alleges that E.V. is incapable of meeting the requirements of the IFB (supplying extra high strength 1-3/8-inch chain) and requests that a preaward survey be conducted to determine whether E.V. is a responsible bidder.

This Office no longer reviews protests against affirmative determinations of responsibility unless either fraud is shown on the part of the procuring officials or the solicitation contains definitive responsibility criteria which allegedly have not been applied. Central Metal Products, 54 Comp. Gen. 66 (1974), 74-2 CPD 64; Oregon Wilbert Vault Corporation, B-191000, January 18, 1978, 78-1 CPD 49. Neither exception is present here.

Therefore, the protest is dismissed.

Milton J. Socolar
General Counsel

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